

# SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

**SUBJECT:** Resolution to accept land for public purposes

**DEPARTMENT:** Planning and Development **DIVISION:** Development Review

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Jean Abi-Aoun **EXT.** 7342

**Agenda Date** 10/26/04 **Regular** ☐ **Consent** ☒ **Work Session** ☐ **Briefing** ☐  
**Public Hearing – 1:30** ☐ **Public Hearing – 7:00** ☐

**MOTION/RECOMMENDATION:**

Adopt the Resolution and authorize the Chairman to execute the resolution to accept the Warranty Deed and cancel property taxes for land donated as right-of-way on County Road 419 from ANTIOCH MISSIONARY BAPTIST CHURCH OF OVIEDO.

District 2 – Morris. (Jean Abi-Aoun – Principal Engineer)

**BACKGROUND:**

The owner, Antioch Missionary Baptist Church of Oviedo, is proposing an expansion of their existing church on their property located on County Road 419 Road at Division Street, and have agreed to donate land to Seminole County for additional right-of-way on County Road 419. This resolution accepts the right-of-way and cancels the ad valorem taxes on the property.

The Antioch Missionary Baptist Church of Oviedo is proposing as part of their right of way permit application, to install a left turn lane on County Road 419 into their site. County Road 419 along the subject property frontage has a 30' half right of way. A 40' half right of way is required to meet minimum County standards of 80' for a open drainage roadway section. The right of way is also needed for the left turn lane improvement on CR 419 and an existing sidewalk improvement on County Road 419 that was installed by the City of Oviedo. Per the Seminole County Land Development Code Appendix A, Section 11.3, a developer may be required to dedicate right-of-way to the County if the site abuts an existing street of inadequate right-of-way, and the need for additional right-of-way is rationally related to the development being approved. Florida Statutes permit the Board of County Commissioners to cancel all liens and ad valorem taxes, both delinquent and current, owed on land acquired by the County for road or other public purposes.

**STAFF RECOMMENDS :**

Staff recommends that the Board cancel all property taxes for this parcel and approve the attached resolution.

District 2 - Morris

Attachments: Resolution

Warranty Deed

Estimate of Real Property Assessment

Reviewed by:	<u>SP</u>
Co Atty:	<u>SP</u>
DFS:	<u>SP</u>
Other:	<u>SP</u>
DCM:	<u>SP</u>
CM:	<u>SP</u>
File No.	<u>cpdd 01</u>

**R E S O L U T I O N**

**THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR  
MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF  
SEMINOLE COUNTY, FLORIDA, ON 26th DAY  
OF October, 2004 .**

**WHEREAS, it has been determined by the Board of County Commissioners of Seminole County that there is a necessity for future improvements to property, located in Section 10, Township 21 South, Range 31 East, Seminole County, Florida; and**

**WHEREAS, the implementation of the future roadway improvements will require right-of-way not now owned by the County of Seminole; and**

**WHEREAS, ANTIOCH MISSIONARY BAPTIST CHURCH OF OVIEDO has indicated its willingness to donate to Seminole County the required right-of-way, as evidenced by an executed Warranty Deed for RIGHT-OF-WAY, attached hereto; and**

**WHEREAS, Section 196.28, Florida Statutes, provides for and authorizes the Board of County Commissioners to cancel and discharge any and all liens for taxes, delinquent or current, held or owned by the County or State upon lands conveyed to or acquired by the County for road purposes.**

**NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Seminole County hereby accepts that Warranty Deed for Right-of-way executed July 13th, 2004, conveying to Seminole County the land described in EXHIBIT "A", attached hereto.**

**BE IT FURTHER RESOLVED that all ad valorem taxes either current or delinquent, that are owed upon and liens upon said lands resulting from said taxes and relating to the lands described in EXHIBIT "A" are hereby cancelled and discharged.**

**BE IT FURTHER RESOLVED that said Warranty Deed be recorded in the Official Records of Seminole County, Florida.**

**BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided by the Clerk to the Board of County Commissioners to the Tax Collector for Seminole County and the Property Appraiser for Seminole County.**

**ADOPTED THIS 26<sup>th</sup> DAY OF October, 20 04 .**

**BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA**

**ATTEST:**

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**DARYL G. MCLAIN**

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**MARYANNE MORSE, Clerk to the Board of  
County Commissioners in and for Seminole  
County, Florida.**

**TAX PARCEL ID # 10-21-31-300-0770-0000**

**Prepared by: Tracy N. Phelps  
Development Review Division  
Date: 09-22-04**

Prepared by:  
Karen Z. Consalo  
Assistant County Attorney  
1101 East First Street  
Sanford, Florida 32771

WARRANTY DEED

THIS WARRANTY DEED is made this 13 day of July, 2004, between Antioch Missionary Baptist Church of Oviedo, Florida, Inc., a Florida non-profit corporation having its principal place of business at 311 East Broadway Street, Oviedo, Florida 32765, hereinafter called the GRANTOR, and SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter called the GRANTEE.

**WITNESSETH:** That the GRANTOR, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) and other valuable considerations, to GRANTOR in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged by these presents does grant, bargain, sell, release, convey and confirm unto the GRANTEE, its heirs and assigns forever, all that certain land lying and being in the County of Seminole, State of Florida, more particularly described in Exhibit A attached hereto.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever.

**AND** the GRANTOR hereby covenants with said GRANTEE that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand and seal the day and year first above written.

WITNESSES:

ANTIOCH MISSIONARY BAPTIST CHURCH  
OF OVIEDO, CHURCH, INC.

[Signature]  
Print Name: ADDOLIFTON

[Signature]  
Charles Jones, President

[Signature]  
Print Name: Amelia D. Wilson

(CORPORATE SEAL)

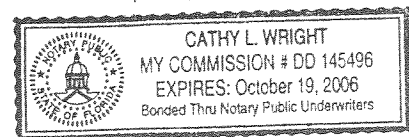
STATE OF FLORIDA           )  
COUNTY OF SEMINOLE       )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Charles Jones, who is known to me, or has produced FLORIDA D.L. identification, to be the President of Antioch Missionary Baptist Church of Oviedo, Florida, Inc., and that he acknowledged to and before me that he executed this instrument freely and voluntarily under authority duly vested in him by said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 13<sup>th</sup> day of July, 2004.

[Signature]  
Notary Public, in and for the  
County and State Aforementioned

My Commission Expires: 10/19/06

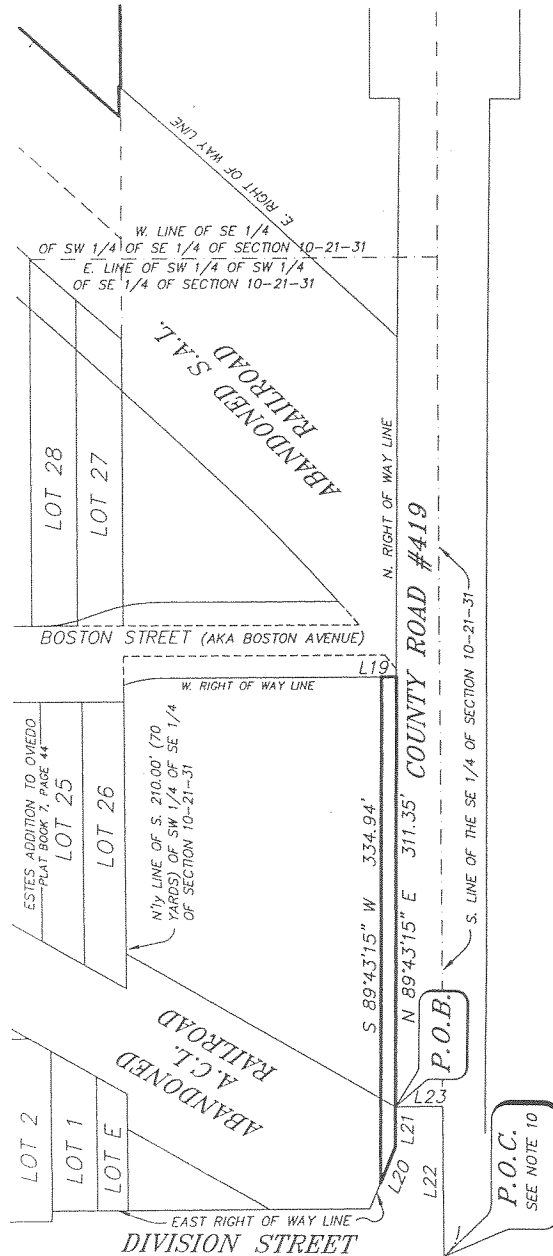
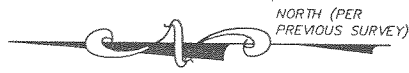


THIS SKETCH CONSISTS OF TWO SHEETS &  
IS ONLY VALID IN ITS ENTIRETY

SEE SHEET 1 FOR LEGAL DESCRIPTION

## SHEET 2 OF 2

RESERVED FOR RECORDING INFORMATION



LINE TABLE		
LINE	BEARING	LENGTH
L19	N 00°54'15" W	10.00
L20	S 67°23'57" E	25.72
L21	N 89°43'15" E	26.59
L22	N 89°09'36" E	96.91
L23	N 00°50'04" W	31.54

### SKETCH OF LEGAL DESCRIPTION

For: **ANTIOCH BAPTIST CHURCH**

Date: **5/3/04**

Revised: **N/A**

Job No.: **97036**

Scale: **1" = 100'**

Drawn by: **AR**

Field by: **RA**

Checked by: **PBB**

#### LEGEND

P.O.C. = POINT OF COMMENCEMENT

P.O.B. = POINT OF BEGINNING

"Unless Noted Otherwise"

**P.R.(Rick) Burns**  
Professional Surveyor & Mapper  
Florida Registration No. 4702

"Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper"



**LAND TECH**  
SURVEYING & MAPPING CORP.  
350 S. Central Ave., Oviedo, FL 32765  
P.O. Box 621892, Oviedo, FL 32762  
Voice (407) 365-1036  
Fax (407) 365-1838  
Licensed Business No. 5777

ADDITION ROW. PB 7, PG 44

THIS SKETCH CONSISTS OF TWO SHEETS &  
IS ONLY VALID IN ITS ENTIRETY

SEE SHEET 2 FOR GRAPHICAL DEPICTION

## SHEET 1 OF 2

RESERVED FOR RECORDING INFORMATION

### Legal Description:

#### PARCEL 1:

THAT PART OF THE SOUTH 70 YARDS (210 FEET) OF THE SOUTHWEST 1/4 OF THE  
SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE  
COUNTY, FLORIDA.

#### MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 10,  
TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA RUN N 89°09'56" E,  
ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 10, 98.91 FEET;  
THENCE DEPARTING SAID SOUTH LINE N 00°50'04" W, 31.54 FEET TO THE NORTH RIGHT  
OF WAY LINE OF COUNTY ROAD 419, SAID POINT ALSO BEING THE POINT OF BEGINNING;  
THENCE N 89°43'15" E, ALONG SAID NORTH RIGHT OF WAY LINE, 311.35 FEET TO THE  
WEST RIGHT OF WAY LINE OF BOSTON STREET, ALSO KNOWN AS BOSTON AVENUE; THENCE  
DEPARTING SAID NORTH RIGHT OF WAY LINE N 00°54'15" W, ALONG SAID WEST RIGHT OF  
WAY LINE, 10.00 FEET TO A POINT ON A LINE THAT IS PARALLEL TO AND 10.00 FEET  
NORTH OF, WHEN MEASURED PERPENDICULAR TO, THE AFORESAID NORTH RIGHT OF WAY  
LINE OF COUNTY ROAD 419; THENCE DEPARTING SAID WEST LINE S 89°43'15" W, 334.94  
FEET TO THE EAST RIGHT OF WAY LINE OF DIVISION STREET; THENCE S 67°23'57" E,  
ALONG SAID EAST RIGHT OF WAY LINE, 25.72 FEET TO THE AFORESAID NORTH RIGHT OF  
WAY LINE OF COUNTY ROAD 419; THENCE DEPARTING SAID EAST LINE N 89°43'15" E,  
ALONG SAID NORTH RIGHT OF WAY LINE, 26.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.07 ACRES MORE OR LESS.

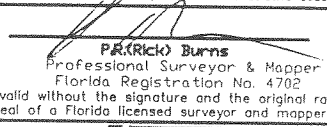

### THIS IS NOT A SURVEY

#### SURVEYOR'S REPORT:

- 1) This is not a Survey.
- 2) Bearings are based on: the South line of the Southeast 1/4 of Section 10-21-31 being N 89°09'56" E, per previous survey prepared by this firm.
- 3) Vertical Datum is based on: N/A
- 4) The Surveyor has not abstracted the lands shown hereon for easements and/or rights of way of record.
- 5) No underground installations, foundation footings, or improvements have been located.
- 6) There may be additional restrictions that are not recorded on this sketch that may be found in the public records of this county.
- 7) There may be evidence on the ground of use of the property which might suggest a possible claim of easement other than those shown on the sketch.
- 8) This Sketch was prepared for the identities named herein and is "nontransferable".
- 9) No improvements have been located as a part of this sketch.
- 10) This firm recovered a 5/8" iron rod with brass casing (no #) which identifies the Southwest corner of the Southeast 1/4 of Section 10-21-31, per the Certified Corner Record # 0028302.

#### CERTIFICATION:

I hereby certify that the sketch represented on this map was made under my direction on the date shown based on the information furnished to me as noted and conforms to the MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING AND MAPPING IN THE STATE OF FLORIDA in accordance with CH.61C1-6, Florida Administrative Code.

<b>SKETCH OF LEGAL DESCRIPTION</b>		Date: 5/3/04	Revised: N/A	Drawn by: AR
For ANTIOCH BAPTIST CHURCH		Job No.: 97036	Scale: 1" = 100'	Field by: N/A Checked by: PBB
		<b>LEGEND</b> P.O.C. = POINT OF COMMENCEMENT P.O.B. = POINT OF BEGINNING = = =		
		 P. Rick Burns Professional Surveyor & Mapper Florida Registration No. 4702 "Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper"		
		 <b>LAND TECH</b> SURVEYING & MAPPING CORP. 350 S. Central Ave., Oviedo, FL 32765 P.O. Box 621892, Oviedo, FL 32762 Voice (407) 365-1036 Fax (407) 365-1838 Licensed Business No. 5777		

'Unless Noted Otherwise'

ADDITION ROW, PB 7, PG 44

SEMINOLE COUNTY PROPERTY APPRAISER  
1101 E FIRST STREET  
SANFORD, FL 32771  
407-665-7523

ESTIMATE OF REAL PROPERTY ASSESSMENT AND AD VALOREM TAXES

DATE: 07/19/2004  
PARCEL: 10 - 21 - 31 - 300 - 0770 - 0000  
PAD: 311 E BROADWAY

OWNER: CHURCH ANTIOCH MISSIONARY  
ADDRESS: BAPTIST OF OVIEDO FLA INC  
311 E BROADWAY ST  
OVIEDO FL 32765 7814

LEGAL DESCRIPTION:

SEC 10 TWP 21S RGE 31E THAT PT OF SW 1/4 OF SW 1/4 OF SE 1/4 LYING S OF ESTES ADD TO  
OVIEDO E OF DIVISION ST WLY OF WLY R/W SCL RR & N OF CR 419

NOTE: This is an estimate based on information provided by requestor and other data available in this office.  
This estimate DOES NOT reflect non-ad valorem or special assessments and taxes. For information  
regarding County non-ad valorem or special assessments and taxes contact the Office of Management  
and Budget at (407) 665-7176.

Contact the city of OVIEDO for city non-ad valorem or special  
assessments and taxes.

ASSESSMENT RECORDS INDICATE PARCEL WAS IMPROVED AS OF JANUARY 1, 2004.

JUST VALUE	6,098
EXEMPTED AMOUNT	6,098
TAXABLE VALUE	0
MILLAGE RATE	20.2029
*** ESTIMATED TAXES	.00

\* Millages and exempt totals used are based on latest certified amounts.

\*\*\* This estimate represents the  
most current value and is  
subject to change.

H.W."BILL" SUBER

Initialed by person authorized to  
release this information

This estimate is good through: 08/18/2004.

Estimate is for a portion of the above described property containing .07 acres, beign taken for addtional  
right of way at Division Street and CR 419. Estimate includes the following exemption(s):  
CHURCH/RELIGIOUS